

11364

The Copy of the¹³
Articles of Agreement betwixt
His Highnesse *Henry of Nassau* Prince
of *Orange*, and the Governour, Bur-
gers, Captaines, and Souldiers of the
City of *Breda*, about the surrendring
of the said City.

Made the 26. of *Septem.* 6. *Octob.*

Faithfully Translated out of the
Dutch Copy.



LONDON,
Printed by E. P. for Nathaniel Butter, and
Nicholas Bourne. 1637.

The Copy of the

Articles of Agreement betwixt

His Highness Henry of Nassau Prince

of Orange, and the Government, Bur-

gesses, Captains, and Councils of the

City of Amsterdam about the surrendering

of the said City.

Made the 24. of September 1672.

Faithfully Translated out of the

Dutch Copy.



Printed by J. Blaeuw, for the Amsterdam Town, and



The Copy of the *Articles* agreed upon, betwixt his Highnesse the Prince of *Orange*, and the Governour, Captaines and Souldiers within the City of *Breda*, about the surrendring of the said City.

I **T**hat the Governour of *Breda*, and all his military Officers, and Soldiers, of what condition, or quality soever, none exempted; although they had forsaken the Service of the Lords, the States generall, and betaken themselves to the Cardinall Infants side, shall march thence without any let or hinderance; with their high and low Armes, bag and baggage, beating of drums, displayed Colours, with their Matches lighted, Bullets in the mouth, as they use to march in war, together with all their Goods, and shal safely be cōducted as far as the city of *Mechelen*

II The Governour shall have leave to choose immediately 4. peeces of Ordnance, and 2. Morter-ring peeces, with all their Equipage and Ammunition of warre according to his owne pleasure and mind, proportioning onely to 12. charges for every Canon.

III That there shall be Horses and Waggon with their drivers left unto him, sufficient to draw the aforesaid Artillery with their traine, to the aforesaid City of *Mechlen*.

III That all Munition of warre and provision therein, late belonging to the King of *Spaine*, shall be delivered without any fraud or deceit, into the hands of such as are deputed thereunto by his Highnesse; except such which was sold before the 26. of *September*. the 6. of *October*. when the Parley was begun: But that which was sold before, shall remaine to the buyer without enquiry after those that have bought it.

V That all Officers and Souldiers as are sicke and wounded, shall stay in the Hospitall or Elderhouse so long till they recover againe their former health to go to *Mechlen*, and that then a free Convooy shalbe given unto them to carry their Armour and Baggage.

VI. That his Highnesse shall furnish them with Waggon and Horses, as many as the Governour shall desire and need, both for his particular service, as also for all other Officers and Souldiers to carry their Baggage and other Goods as farre as *Mechlen*; amongst which are comprehended all manner of Weapons, both of the garison Souldiers, absent, dead, sicke, wounded, and of those that ranne away; and that the aforesaid Waggon shall not be searched in any wise.

VII. That such as desire to have their Baggage and Goods carryed by water to *Mechlen*, shall be provided with fitting Bottoms for their conveyance

(3)

ance thither through *Holland*, unlesse it be any manner of *Wares*. And that there shall likewise bee granted unto them, to send along certaine men that may looke to the *Goods* and *Baggage*, which shall not be searched nor arrested in any places under what pretence soever it may be, but shall passe safely as farre as *Mechlen*.

VIII That the Governour, Captaines, Officers, Counsellors of warre, and Souldiers taking pay of the King of *Spaine* (aswell Temporall as Spirituall persons, none excepted) as also the widowes with their children, which in the aforesaid city have any Houses, Inheritance or Rents, whether it lie under the States of *Brabant* in this quarter, or under this city, houses or inheritances of particular Goods, moveable or immoveable, shall enjoy the time of 2 yeres after the sealing of this Accord, to transport, sell, remove, or dispose otherwise of their Goods, according to their will and pleasure; and during the time, they shall enjoy their Rents, and the benefits of the hire of their houses, and have the fruits of their Goods, which they expect, or may expect, upon the Conditions agreed of, whatever they be.

IX. That the Officers and Souldiers, of what condition or state soever they be, shall have licence to leave their Wives and Children in the City, and that they may, during the time of 2. yeeres, dispose of their Goods moveable or immoveable, whether they lie within or without the said City, nothing excepted, and that they shall neither bee confiscated nor detained from them.

X. None of the Officers or Souldiers in person shall

shall be arrested or stayed, whether present or coming for the Rents of their houses where they dwelled, neither their Baggage stayed for any debts, if they depart with the garison.

XI That all the Souldiers which are taken prisoners, aswel by one as byth' other side, of what quality or dignity soever they be, shall be set at liberty without paying of any ransome, but shall onely pay for their diet according to the taxation of the Quarter: As also Preachers and other prisoners shall goe out paying onely for their diets.

XII That all the Booty which they have gotten before and during the siege, shall not be demanded of them, but be left to them.

XIII That after the subscription, and sealing of the Articles of this agreement, the Governor of Breda shall have licence to send an Expreste to His Highnesse the Cardinal *Infant*, with a safe conduct and assecuration to certifie him of it, what hath passed during the time of the siege, which the Governour may doe the same day when the Accord is subscribed.

XIIII The said Conditions being subscribed and sealed, at least a dayes respit shall be granted unto the Governour and Souldiers to make themselves ready against their departure; which time being expired, the Governour and Officers of the said garison shall promise to depart, namely, upon Saturday following, being the 30. of *Septem.* 10. of *Oct.* 1637.

XV. The meaning of the former Article is, that none afore the 2. dayes are expired, shall come out of the City into our Camp, neither that those of

our

11364
(7)

our army shall come into the city; and to prevent all disorders, every one shall keep in his trenches and fortifications, except perhaps one side or other should offer to make any approaches, or do any hostility, for the assurance whereof Hostages shall be given of both sides.

XVI. That before the garrison departeth two sufficient Hostages shall be delivered, as pledges for his Highness, the Prince of *Orange*, who shall march along with the garrison as farre as *Mechelen*, and that on the other side, two Hostages shall be left by the Governour, so long till the aforesaid Hostages of the Prince of *Orange* are returned backe againe with the weapons, and that then his Highness the Prince shall likewise send againe the two aforesaid Hostages of the Governour with a safe conduct or convoy, as farre as *Mechelen*.

XVII. That the Officers and Souldiers, and others comprehended in the first article of the aforesaid accord, having any Armour, boats, Shalloopes or other materials of warre belonging to particular persons, may sell or transport them, and that they shall not be stay'd or any wares or goods, that are bought or are transported upon them.

XVIII. And that there shall be no restitution of horses, amongst merchants wares, moveable goods or other wares, which are sould and held for a bootie, and that because of them none shall be stay'd or detained.

Actum in the Campe before Breda, the 27 of
September, the 7 of October, 1637.

11364

His Highnes having seen and examined the Articles, here standing by hath declared himselfe upon it in this manner.

I **T**His Article is agreed upon, if so bee that all the persons mentioned in it do behave themselves hereafter, as they ought to do.

II That two Cloysters of Nunnes and Bagynes shall be maintained in the same manner, as they have been before the yeere 1625. in the time of the government of the Lords States Generall.

A Copie of the Articles propounded by the Clergie and the Burgermasters, Sheriffs and Senate of the City of Breda, to His Highnes the Prince of Orange, Lord and Baron of Breda.

I **T**hat all faults, Hostilities and misdeeds, how great and of what quality soever they may be (without exception of any person, Churchman, or Layman; of the aforesaid City, committed by them either present or absent; whether it be in generall or particular) shall fully be forgotten and pardoned, as if they never had been done or committed.

II That in the aforesaid City of Breda, now and ever hereafter be granted free and open exercise of the Romane Catholike Religion in the great Church, in the Cloysters and Nunneries; as it hath been those 12. yeeres last past in that manner: That no man of what qua-

III That the Magistrate shall be chosen of the best qualified persons of the City according to the priviledges and Lawes of *Brabant*, and of theaforesaid City of *Breda*.

IIII That all Spirituall persons may have the benefit & use of their goods, and administrate them, in the same manner as they have done before the yeere 1625. Those that depart out of the City shall freely take along with them their goods and movables, as also, if they be houses or lands, they may sell them like the Citizens.

lity soever he be, whether Civill or Military; shall undertake to offer or do any hinderance, obstacle or scandall in the Church or in the street; whether in words or deeds upon paine of arbitrary correction.

III That the Magistrate shall be chosen out of all persons, indifferently as well of the Romane Catholike, as reformed Religion.

IIII That the Lords of the Chapter with their Subprovofts, Provost and Nunnery of Saint *Catharine Dale*, the Pastor, the College of the Societie of JESUS, the Convents of the *Patres Capucyns*, and Minorites, and all other spirituall persons, of what state or order soever they be; which afore the date of those Articles have been accepted and placed, shall continue in a peaceable possession of all manner of goods, Rents, gifts, Tithes, privileges and Renewes whatsoever they be; as well within as without the aforesaid City without exception to place new ones, or surrogate others:

(3)

others : but possesse them in the same manner as they all and everyone keep, possesse and use them now without any let, hinderance, or harme : and if any Canons, places or Benefices shall come to be void, they shall be given to the Romane Catholiks, according to the foundations and ancient Statutes.

V That the goods, Collections, Almes of the respective poore houses nominated in this Article, shall be used and administred, as they have been before the yeere 1625. without regard to the Religion of the persons, which are employed in that behalfe.

V The yeerely revenewes of the goods and lands of the Orphan-house in the aforesaid City, Whether it be by inheritance or donation; which it hath already attained, or shall attain unto hereafter, whether it be by service, gift, purchase, or any otherwise, shall be divided *prorato* and proportionally, that the poore children, of what Religion soever they be found; shall likewise have their Masters and dwellings apart : And goods, almes and collections from the Hospitall or Almes-house called the Holy-Ghost, shall be administred and divided by persons amongst the poore, without regard of what Religion they are, as it hath bin done hitherto.

(4)

VI His Highnesse grants this Article, but what concerns the point of the Licents, He will recommend it in the best manner to the Lords States Generall.

VII His Highnesse granteth this Petition for the space of three yeeres in particular, also for the fugitives, with condition; that those which intend to goe into Neutral places, or into the flat Country, and afterwards will return againe into the City, they shall be bound to do it with a precedent knowledge of His Highnes or of the Governour.

VI That the City of *Breda* and all its Inhabitants shal continue all their priviledges and liberties, and that no further burthens shall be laid upon them, then there have been from the yeere 1590. till unto the yeere 1625. so long as the City was under the government of the united Nether-lands: and being their City by this siege is exceedingly ruinated, they desire, that they might be free of the Licents for 3. yeeres to recover themselves againe.

VII That all the Citizens and Inhabitants of the aforesaid Citie, whether present or absent, of what quality soever they be, whether they have been in service of the King of *Spain* or no, may freely according to this treaty depart and go wheresoever they please with their whole family and moveable goods, and papers; or that they may continue in their dwelling places in the aforesaid City, during the space of a set time, that within that space they may resolve, whether they wil stay and dwell there longer or no; and that

11364
(5)

that during the said time they may safely and freely travaile up and down in the Countrey, as well to provide where to pitch their dwelling places, as for their particular affaires and busines for the space of 4. yeers, and if in the end of the set time they intend to depart, they may likewise do it freely with their Wives, Children and goods according as they please by water or land without paying of customs, Licents or searching of the Ships; although one or other had done any publike service in the aforementioned 4. yeers; and they shall have leave to dispose of all their goods, sell them, transport them, or appoint others to receive and administer them, as they think fittest: and if it come to passe that they die, whether it be within or without the City, whether He make his last wil or no, the said goods are to belong to the lawfull heires, or their next friends *ab intestato respectivè*, and they may carry away all their moveable goods, merchants wares and other goods, as they think best

VIII They may depart, during the time of three yeeres into the enemies Countries or Cities ; and may return againe into *Breda*, yet not without a precedent consent of the Governour.

IX This Article is granted so farre, what concerns the Citizens, but the Pastors and other Spirituall persons mentioned in this Article, may well depart out of the City, but regulate themselves according to the Patents of Retorsion published by the Lords States.

without requiring any other Passe then this present treatie: and those that go into Neutral Countries, if they please, they may return back againe into the City to dwell there without desiring of any further consent.

VIII That those, which for their particular affaires will go into the Countries and Cities under the King of *Spaine*, may have leave to do it during the time of the aforesaid 4. yeeres, as often as they please; and may alwaies return againe into the said City to stay and to dwell there, or to depart as aforesaid.

IX In the aforesaid contract shall be comprehended all Citizens and Inhabitants of the aforesaid City, which are absent, as also all Pastors and spirituall persons, which are fled into the City; as also the Inhabitants which are fled from the Country into the City, which by vertue of this Contract may freely returne to their Villages and dwellings, or stay in the City the aforesaid 4. yeeres, according as they please : and the Pastors of the Baronie of *Breda* present

(7)

present or absent, and their successors may exercise againe in their Parish Churches their pastorall services, and keep the revenewes, as they had before the *Retorsion*.

X This Article is granted as it stands.

XI This Article is likewise granted as it stands, if so be that all Charters, Registers and Papers, Feods, Dominions, as also others, whether they be spirituall or temporall goods, concerning His Highnes, be put into the hands of those, that His Highnes shall appoint.

XII This in like manner.

XIII Those of the City of *Breda* shal behave themselves in this as they have before the yeere 1625.

X That all the Sentences given by the Magistrate of the aforesaid City, and by the Head-Bench, wherof nothing was yet reformed, shall remain in their full force; as also all contracts made before and in the time of the siege howsoever they be.

XI That all the perfected accounts of the City, as also all others that are done by the Magistrate, shall remain entire and stand in force.

XII That those which have Rents or debts depending upon the Citie, shall yearly be payd without abatement, or otherwise avoyding them.

XIII That the City of *Breda* shall not be bound to make, repaire and support the Walls, Forts, Gates, Bridges, *Corps de guards*, and other Fortifications and Workes; they having been freed of it these last 12. yeares under the King of *Spaine*.

XIIII That

(8)

XIIII The Souldiers shall be Billited like as in other Cities of the united Provinces is done.

XIIII That the Souldiers and Garrison, which shall be layd into the said City; as well foot as horse, or shall be lodged into the Baruques, or in any other manner, shall not be burthensome to the City or the Citizens: and if so be that any Souldier should be Billited in the Citizens houses, they shall be payd for their services.

Actum in the Campe before *Breda*,
the 7. of October, 1637.

FINIS.

Hampt. court 15. of Octob. 1637.

These Articles of *Breda* may be Printed.

R. WECHERLIN.

THE
ANSWER
OF THE
LORDS and COMMONS
Assembled in the
Parliament of England
AT
WESTMINSTER,
To several
PAPERS
OF THE
Commissioners of SCOTLAND.

14. APRIL, 1646.

O*Ordered by the Commons assembled in Parliament, that
The Answer to the several Papers of the Commis-
sioners of Scotland be forthwith printed and published:*

H: Elsyng, Cler. Parl. D. Com.

LONDON:

Printed for Edward Husband, Printer to the Honorable House of Commons.
April 16. 1646.